



## **GENERAL TERMS AND CONDITIONS OF SALE OF STATE LANDS**

### **Property, Conveyance and Title Insurance**

All property sold is subject to the provisions of RCW 79.36.370, reservation of oils, gases, minerals, etc., as described in RCW 79.11.210, a lease reservation as described in the Report of Auction, a lease between the Department of Natural Resources and the Department of Transportation for a park and ride on approximately 1.5 acres located on the corner of Marvin Road and Quinault Way, the terms of which are on record at the Department of Natural Resources, and such other encumbrances on title accepted by the purchaser.

All property is sold “**AS IS, WHERE IS.**” Bidders are encouraged to examine the property offered for sale to ascertain for themselves the condition of the property, and the existence, if any, of encumbrances, encroachments, etc. The State does not make, and specifically disclaims any warranties, express or implied, including any warranty of merchantability or fitness for a particular purpose, about property offered for sale, including, but not limited to any improvements located thereon, and no employee or agent of the State is authorized otherwise. The foregoing specifically excludes warranties with respect to the existence or nonexistence of any pollutants, contaminants, or hazardous waste prohibited by law or claims based thereon arising out of the actual or threatened discharge, release, disposal, seepage, migration, or escape of such substances at, from, or into any State land offered for sale. Purchaser shall fully release the State from any and all liability to the Purchaser arising out of or related to the condition of the property prior to closing. Purchaser shall indemnify, defend, and hold harmless the State with respect to, but not limited to any claims, damages, liabilities, penalties (civil and criminal), and any other costs, including attorney's fees and costs imposed or related to any hazardous, toxic, dangerous, or harmful substances on the property, deposited or released after closing.

The State conveys title by quitclaim deed executed by the Governor of the State of Washington.

Purchaser must also execute any other documents necessary to consummate sale.

### **Confirmation**

The State's obligation to consummate sales is subject to confirmation of sale by the Department of Natural Resources as described in RCW 79.11.175.

### **Possession**

The Purchaser of State-owned land is entitled to possession upon expiration of the leases.